

RCE-12800

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/945,518
Filing Date	8/31/2001
First Named Inventor	Flach
Group Art Unit	2878
Examiner Name	Sung, Christine
Attorney Docket Number	01W028

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14855 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

1. Submission required under 37 C.F.R. § 1.114.

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Letter Accompanying The Filing Of RCE; Revised FIG. 1 (now Figs 1A and 1B)

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.105(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayment to _____
- Deposit Account No. 50-0616
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 08/04/2003 LBERNE 00000089 500616 09945518
- iii. ☐ Other _____ 01 FC:1801 750.00 DA
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	William C. Schubert	Registration No. (Attorney / Agent)	30,102
Signature	<i>William C. Schubert</i>	Date	JULY 29, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Name (Print / Type)	Sue S. Freitag
Signature	<i>Sue S. Freitag</i>
Date	July 30, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

INVENTORS: Finch et al.

SERIAL NO.: 09/945,518 ART UNIT: 2878

FILED: 08/31/2001 EXAMINER: Sung, Christine

TITLE: IRFPA ROIC with Dual TDM Rest Integrators and Sub-Frame Averaging Functions
per Unit Cell

ATTORNEY DOCKET NO.: 01W028

Commissioner for Patents
Alexandria, VA 22313

**LETTER ACCOMPANYING THE FILING OF REQUEST FOR CONTINUED
EXAMINATION**

Dear Sir:

The claims of the above-captioned U.S. Patent Application have been allowed, and the Issue Fee is due. Prior to the expiration of the time allotted to pay the Issue Fee, the applicants herewith submit a Request for Continued Examination and an Information Disclosure Statement that makes of record several commonly assigned and other U.S. Patents. It was noted when reviewing this file that an IDS was inadvertently not previously submitted. Consideration of the attached patent documents is respectfully requested.

Also enclosed is a revised Figure 1, showing Figures 1A and 1B, that is agreement with the Examiner's Amendment authorized by Attorney Schubert.


Also, the Examiner's reasons for allowance of claims 1-9 have been reviewed. The Examiner's attention is respectfully drawn to, for example, Fig. 2A and col. 4, lines 16-65, of U.S. 5,571,005 (Wyles et al.), and Fig. 3 of U.S. 4,857,725 (Goodnough et al.). The Examiner is respectfully requested to reconsider her stated reasons for allowance, which appear to be somewhat broadly stated in view of the prior art.

In addition, the Examiner cited U.S. 6,495,830, and characterized same as disclosing the simultaneous separation into spectral bands. While this may be true, it is noted that this U.S. Patent appears to teach that the photocurrent is not read-out simultaneously. Instead, the photocurrent from a "selected quantum well layer" is processed in the embodiment of Fig. 2 (col. 6, lines 22-28 and 36-40), and in Fig. 6 a ganged selector switch is used to "select" from which quantum well layer the photocurrent will be processed (e.g., col. 8, lines 38-47).

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The Examiner is respectfully requested to consider the attached U.S. Patents and to make same of record in this U.S. Patent Application, and to issue another Notice of Allowability and Notice of Allowance.

Respectfully submitted,


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